IN THE HIGH COURT OF UTTARANCHAL AT NAINITAL

WRIT PETITION NO. 426 (SS) OF 2006

Bhuwan Chandra Joshi,
S/o Sri Damodar Joshi,
At present working as Junior Clerk,
In Block Develoment Officer Chaukhutia,
District- Almora. .....Petitioner.

Versus

1. State of Uttaranchal through Secretary Gramya Vikas Uttaranchal Sashan, Dehradun.
2. District Development Officer, Almora.
3. Block Development Officer, Chaukhutia, District Almora.

.....Respondents.

Dated: 28.03.2006

Hon'ble Rajesh Tandon, J.

By the present writ petition, the petitioner has prayed for a writ of mandamus directing the respondent authorities to consider the promotion of the petitioner for the post of Senior Clerk in the department from the date when the juniors to the petitioner have been promoted in the department.

Briefly stated, petitioner was appointed on the post of Junior Clerk on 13.04.1994 in the pay scale of Rs. 950-20-1150-25-1500 in the Block Development Officer Bhikiyasain, District Almora and on 15.04.1994 he has joined the service in the department on the post of Junior Clerk.

According to the case of the petitioner, by the order dated 11.04.2000 and 23.05.2002, juniors to the petitioner have been promoted on the post of Senior Clerk in the Department, the petitioner has given a representation to the

District Development Officer Almora on 04.07.2005 regarding the promotion of the petitioner on the post of Senior Clerk in the department from the date when the juniors have been promoted in the department on the post of Senior Clerk.

Petitioner has submitted that one Shakher Chandra Pandey, Sri Amarnath Singh Negi and Sri Ramesh Chandra Pandey were appointed on 09.08.1994 and Sri Anand Ram was appointed on 25.03.1995 as Junior Clerk they were promoted on the post of Senor Clerk in the Department on 11.04.2000 and Smt. Kamlesh Joshi was appointed on 14.06.1995 and Sri Dinesh Chandra Pandey was appointed on 23.03.195 as Junior Clerk, they were also promoted on the post of Senior Clerk on 23.05.2002 in the department, while the employees who were junior to the petitioner have been promoted on the post of Senior Clerk in the department but he is not being promoted on the post of Senior clerk in the department, is against the provisions of law and rules.

Regarding his grievances, the petitioner has given various representations to the respondent authorities regarding the promotion on the post of Senior Clerk, the last representation was given by the petitioner to the authorities on 18.11.2005, but the grievance of the petitioner is that the same has not yet been disposed of.

In view of the above, respondents are directed to dispose of the representation of the petitioner within a period of two months from the date of presentation of the certified copy of the order.

Writ petition is disposed of. No order as to costs.

(Rajesh Tandon, J.)

28.03.2006
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